GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Juvenile Welfare, Correctional Services & Welfare of Street Children – Eligibility Criteria & Qualifications, terms and other conditions for selection of the Social Worker Members in Juvenile Justice Boards and Chairperson / Members in Child Welfare Committees - Prescribed - Orders – Issued.

DEPT. FOR WOMEN, CHILDREN, DIFFERENTLY ABLED & SENIOR CITIZENS (PROG.1)

G.O.Ms.No.2 Dated:22/03/2017

Read the following:

1) G.O.Rt.No.304, WD,CW&DW (JJ) Dept, dt:11.08.2010.
2) From the Director, JW,CS&WSC, Vijayawada, letter No.P2/300/2013, Dated: 24.11.2015, 25.10.2016 & 24.11.2016.

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ORDER:

In the reference 1st read above, the Government have prescribed Criteria & Qualifications, terms and other conditions for selection of the Social Worker Members in Juvenile Justice Boards and Chairperson / Members in Child Welfare Committees.

2. In the reference 2nd read above, the Director, Juvenile Welfare, Correctional Services &Welfare of Street Children, A.P., Vijayawada has stated that the eligibility criteria, qualifications and other conditions for selection of members to Juvenile Justice Boards & Child Welfare Committee communicated through G.O.Rt.No.304, WD,CW&DW (JJ) Dept, dt:11.08.2010 were based on the Juvenile Justice Act, 2000 and its rules. However, Juvenile Justice (Care & Protection of Children) Act, 2015 came into existence repealing the Juvenile Justice (Care & Protection of Children) Act, 2000. Consequently Juvenile Justice Model Rules, 2016 were also notified by the Ministry of Women & Child Development, Govt. of India repealing the earlier Juvenile Justice Rules. In view of the new Juvenile Justice (Care and Protection of Children) Act, 2015 and Juvenile Justice Model Rules, 2016, she has requested to issue fresh orders duly superseding the selection criteria laid in G.O. 1st read above along with authorization to the Director, Juvenile Welfare and Correctional Services to issue notification to invite applications from candidates to constitute new Juvenile Justice Boards & Child Welfare Committees in the State. She has furnished a draft proposal of criteria for selection of members to Juvenile Justice Boards and Child Welfare Committees.

3. After careful examination of the matter keeping in view of the provisions under Sections 4, 27 of Juvenile Justice (Care & Protection of Children) Act, 2015 and the rule 4, 5, 15 and rule 88 (5) of the Juvenile Justice Model Rules, 2016 and proposal of the Director, Juvenile Welfare, Correctional Services &Welfare of Street Children A.P., Vijayawada, and in supersession of the orders issued in G.O. 1st read above, Government hereby prescribe the eligibility criteria, qualifications, terms and other conditions for selection of the Social Worker Members in Juvenile Justice Boards and Chairperson / Members in Child Welfare Committees:

(I) JUVENILE JUSTICE BOARD:

QUALIFICATIONS FOR SOCIAL WORKER MEMBERS OF THE JUVENILE JUSTICE BOARD (JJB):

A person to be appointed as Social Worker Member of the Board :–

a) shall not be less than 35 years of age and not more than 65 years of age and should be physically fit and mentally agile.

(P.T.O.)

b) shall have a Degree, preferably, in child psychology or psychiatry or sociology or Health Sciences or Education or in the field of law from any recognized Indian University.

c) shall have at least seven years of experience of working with children in the field of education, health or welfare activities or should be a practicing professional with a degree in the field of child psychology or psychiatry or sociology or law.

ELIGIBILITY CONDITIONS FOR SELECTION AS SOCIAL WORKER MEMBER OF THE JUVENILE JUSTICE BOARD

A) A person to be selected as a Social Worker Member of the Board :-

i) should not have any past record of violation of human rights or child rights,

ii) should not have been convicted of an offence involving moral turpitude and if such conviction has not been reversed or has not been granted full pardon in respect of such offence,

iii) should not have been removed or dismissed from service of the Central Government or State Government or an undertaking or corporation owned or controlled by the Central Government or State Government,

iv) should not be working in any office of the Central Government or State Government or an undertaking or corporation owned or controlled by the Central Government or State Government as on the date of application.

v) should not have ever indulged in child abuse or employment of child labour or any other violation of human rights or immoral act,

vi) should not be holding such full-time occupation that may not allow the person to give necessary time and attention to the work of the Board or Committee as per the Act and Rules.

vii) should not be associated with any Child Care Institution directly or indirectly during his/her tenure as a member of the Board or Committee or should not have any other conflict of interest.

viii) should not hold any office in any political party during his/her tenure,

ix) should not be insolvent.

x) should not have been a member of a Board/ Management of any institution / organization which has been blacklisted / adversely reported upon,

xi) should be a person with an unblemished record in rendering services for the welfare of children and should have substantially contributed towards the welfare of the children,

xii) should be a person having a child-friendly attitude,

xiii) should have experience of working with Government in the implementation of child related Government programs for a minimum period of 3 years.

B) No person shall be appointed as a member unless he possesses the qualifications prescribed above.

C) A person is eligible for appointment as a Member of the Board, for a maximum of two terms, which shall not be continuous.

(Conttd…3)

D) The term of a member of the Board shall not be for more than a period of three years from the date of appointment.

E) A person, who has been a Social Worker Member of the Juvenile Justice Board in past and has not attended meetings consecutively for a period of three consecutive months or failed to attend less than three-fourths of the sittings in a year or not fulfilled the responsibilities delegated to him/her or misused the powers vested on him/her or has not maintained prescribed records or any individual who was previously selected to the Board but has not reported his/her joining to the Board or resigned without any valid reason, shall not be nominated again.

F) Any practicing Advocate who wish to apply for Juvenile Justice Board may indicate that they have no adverse comments or have no professional obligations involved to function as a Bench of Magistrates along with NOC from respective Bar Association / Council / District Legal Services Authorities / State Legal Services Authority.

G) Should be an individual with a good reputation and who will give priority to the responsibilities of being a member of Juvenile Justice Board and who could spare quality time for discharging the obligations without any hindrance/excuse;

CONDITIONS FOR TERMINATION / CESSATION OF SOCIAL WORKER MEMBERS OF JUVENILE JUSTICE BOARD:

The appointment of any member of the Board will be terminated :–

i) If he/she has been found guilty of misuse of power vested under this Act, or

ii) If a Social Worker Member of the Board fails to attend the proceedings of Juvenile Justice Board for a continuous period of three (3) months without any valid reasons, or If he/she fails to attend less than three-fourth of the sittings of the Board in a year, his/her selection will automatically cease and the position will be treated as a vacancy.

iii) If it is brought to the knowledge of the Selection Committee or the Government that the qualifications, experience and eligibility of a member of Board so appointed does not confirm to the qualification and experience prescribed in the Act and the Rules as prescribed by Government, the Selection Committee shall after due inquiry and on establishment of such fact, declare the appointment of such member as null and void and recommend the name of the next person from the list of names prepared for filling vacancies as per Rules.

iv) Any false claim about qualifications/credibility/ achievements, shall entail rejection of candidature for Juvenile Justice Board and be debarred from being co-opted for any activity/ program in the Department for Women, Children, Differently Abled and Senior Citizens for a period of 10 years. Government reserves the right to cancel the selection of member of Juvenile Justice Board if any such fact comes to notice of the Government at any time and such person shall also be debarred for 10 years.

(II) CHILD WELFAE COMMITTEE:

QUALIFICATIONS FOR CHAIRPERSON AND MEMBERS OF THE CHILD WELFARE COMMITTEE:

A person to be appointed as a Chairperson or Member of the Committee :-

a) shall not be less than 35 years of age and not more than 65 years of age and should be physically fit and mentally agile.

(P.T.O.)

b) shall have a Degree, preferably, in child psychology or psychiatry or social work or sociology or human development or Medicine or Education or in the field of law from any recognized Indian University.

c) shall have a minimum of seven years of experience of working with children in the field of education, health or welfare activities or should be a practicing professional with a degree in the field of child psychology or psychiatry or sociology or social work or law or a retired judicial officer.

ELIGIBILITY CONDITIONS FOR SELECTION AS A CHAIRPERSON OR MEMBER OF THE CHILD WELFARE COMMITTEE.

A person to be selected as a Chairperson or Member of the Committee :-

(i) should not have any past record of violation of human rights or child rights,

(ii) should not have been convicted of an offence involving moral turpitude and if such conviction has not been reversed or has not been granted full pardon in respect of such offence,

(iii) should not have been removed or dismissed from service of the Central Government or State Government or an undertaking or corporation owned or controlled by the Central Government or State Government,

(iv) should not be working in any office of the Central Government or State Government or an undertaking or corporation owned or controlled by the Central Government or State Government as on the date of application.

(v) should not have ever indulged in child abuse or employment of child labour or any other violation of human rights or immoral act,

(vi) should not be holding such full-time occupation that may not allow the person to give necessary time and attention to the work of the Board or Committee as per the Act and Rules.

(vii) should not be associated with any Child Care Institution directly or indirectly during his/her tenure as a member of the Board or Committee or should not have any other conflict of interest.

(viii) should not hold any office in any political party during his/her tenure,

(ix) should not be insolvent.

B) No person shall be appointed as a member unless he possesses the qualifications prescribed above.

C) A person is eligible for appointment as a Member of the Board or Committee, for a maximum of two terms, which shall not be continuous.

D) The term of a member of the Board or Committee shall not be for more than a period of three years from the date of appointment.

E) A person, who has been a Chairperson/Member of the Child Welfare Committee or Social Worker Member of the Juvenile Justice Board in past and has not attended meetings consecutively for a period of three consecutive months or failed to attend less than three-fourths of the sittings in a year or not fulfilled the responsibilities delegated to him/her or misused the powers vested on him/her or has not maintained prescribed records or any individual who was previously selected to the Committee/ Board but has not reported his/her joining to the Committee / Board or resigned without any valid reason, shall not be nominated again.

(Conttd….5)

F) Any practicing Advocate who wish to apply for Child Welfare Committee / Juvenile Justice Board may indicate that they have no adverse comments or have no professional obligations involved to function as a Bench of Magistrates along with NOC from respective Bar Association / Council / District Legal Services Authorities / State Legal Services Authority.

G) Should be an individual with a good reputation and who will give priority to the responsibilities of being a member of Child Welfare Committee / Juvenile Justice Board and who could spare quality time for discharging the obligations without any hindrance/excuse;

CONDITIONS FOR TERMINATION / CESSATION OF CHAIRPERSON / MEMBERS OF CHILD WELFARE COMMITTEE:

The appointment of any member of the Committee will be terminated –

(i) If he/she has been found guilty of misuse of power vested under this Act, or

(ii) If a Chairperson or Member of the Committee fails to attend the proceedings of Child Welfare Committee for a continuous period of three (3) months without any valid reasons, or If he/she fails to attend less than three-fourth of the sittings of the Committee in a year, his/her selection will automatically cease and the position will be treated as a vacancy.

(iii) If it is brought to the knowledge of the Selection Committee or the Government that the qualifications, experience and eligibility of a member of the Committee / Board so appointed does not confirm to the qualification and experience prescribed in the Act and the Rules as prescribed by Government, the Selection Committee shall after due inquiry and on establishment of such fact, declare the appointment of such member as null and void and recommend the name of the next person from the list of names prepared for filling vacancies as per Rules.

(iv) Any false claim about qualifications/credibility/ achievements, shall entail rejection of candidature for Child Welfare Committee / Juvenile Justice Board and be debarred from being co-opted for any activity/ program in the Department for Women, Children, Differently Abled and Senior Citizens for a period of 10 years. Government reserves the right to cancel the selection of Chairperson or member of Child Welfare Committee or member of Juvenile Justice Board if any such fact comes to notice of the Government at any time and such person shall also be debarred for 10 years.

4. The Director, Juvenile Welfare, Correctional Services & Welfare of Street Children, A.P., Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.(Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Director, JW,CS&WSC, A.P., Vijayawada.
Copy to
The PS to Addl. Secy. to C.M.
The PS to Minister (WCD&SC)
The P.S. to Prl. Secy. (FAC) / Secy., Dept. for WCDA & SCs
All District Collectors
The Commissioner (FAC), WD&CW, A.P., Guntur.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER